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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

PHILLIP WILLIAM ASTOR,

Defendant.

Case No. 3:08-cr-00018-MMD

ORDER

On October 16, 2008, the Court sentenced Defendant Phillip William Astor to 51 months on one count of conviction for assault with a dangerous weapon and ordered restitution in the amount of \$5,040.00. (ECF No. 27 at 1, 2, 6.) The judgment provides that “[r]estitution shall be paid at a rate of no less than ten percent (10%) of gross wages while on supervised release, subject to adjustment based on ability to pay.” (*Id.* at 7.) Before the Court is Defendant’s motion asking the Court to “set the F.R.P. payment schedule as it was not done at the time of sentencing.” (ECF No. 28 at 1.) The government’s response noted that Defendant may be referring to the Bureau of Prison’s Financial Responsibility Program, which “encourages inmates to meet their court-ordered obligations.” (ECF No. 31 at 1–2.) The Court did not compel Defendant to pay any amount towards his restitution obligation while he is in custody, but Defendant of course may make payment towards such obligation if he is able. Thus, the Court grants Defendant’s motion.

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1 It is therefore ordered that Defendant's motion to establish payment schedule
2 (ECF No. 28) is granted. Defendant is permitted to pay \$25.00 per quarter to meet his
3 restitution obligation while he is in custody.

4 DATED THIS 3rd day of March 2020.

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7 MIRANDA M. DU
8 CHIEF UNITED STATES DISTRICT JUDGE
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